

1 JUDGE BRODSKY: Pursuant to the authority of the
2 Illinois Commerce Commission, I now call Docket
3 03-0679, Illinois Bell Telephone Company
4 (SBC/Illinois) and Ernest Communications, Inc.
5 Joint petition for approval of negotiated
6 interconnection agreement dated September 9, 2003,
7 pursuant to 47 USC Section 252.

8 May I have the appearances for the record
9 please.

10 MR. HUTTENHOWER: James Huttenhower appearing on
11 behalf of Illinois Bell Telephone, 225 West Randolph
12 Street, Suite 25-D, Chicago 60606.

13 MS. BROWN: Brandy D.B. Brown on behalf of the
14 staff of the Illinois Commerce Commission, 160 North
15 LaSalle, Suite C-800, Chicago, Illinois 60601.

16 JUDGE BRODSKY: Okay. Thank you.

17 Okay. Has staff filed a verified
18 statement?

19 MS. BROWN: No. Staff has not filed a verified
20 statement in this matter.

21 The party Ernest Communications is in the
22 process of receiving their certificates, and it is

1 pending at this time.

2 Staff -- while staff anticipates there is
3 no impediment, we would like to continue this matter
4 until it is issued.

5 JUDGE BRODSKY: Do we know when the
6 certification is likely to be issued?

7 MS. BROWN: It is likely to be issued
8 January 17th.

9 JUDGE BRODSKY: Okay. Given that there is a
10 deadline on this case which is too close to January
11 17th, so rather than continue, this matter should be
12 dismissed without prejudice, I believe, and refiled
13 when it is ripe for Commission action after the
14 party Ernest Communications Incorporated has been
15 certified as a telecommunications provider.

16 Is there any comments from SBC?

17 MR. HUTTENHOWER: I, you know, -- we are willing
18 to do whatever the Commission wants to do in this
19 regard. There has been no communication from Ernest
20 to us to know how they feel about this situation.

21 JUDGE BRODSKY: Okay. Well, in light of that,
22 it sounds like there is not any particular objection

1 to taking this course of action. So that's what it
2 is that we are going to do.

3 The Commission will eventually see an
4 order dismissing this application for approval
5 without prejudice.

6 Is there anything else that we need to
7 note for the record at this point?

8 MS. BROWN: No.

9 MR. HUTTENHOWER: No.

10 JUDGE BRODSKY: Okay. So what I am going to do
11 is continue this matter generally, and I will send a
12 proposed order to the parties fairly soon, and we'll
13 go from there.

14 Thank you very much.

15 (Whereupon, the hearing in the
16 above matter was continued
17 generally.)

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